

BUREAU OF LABOR STATISTICS—CREATING SAME.

H. B. No. 109.]

CHAPTER 24.

An Act to create a Bureau of Labor Statistics, and to provide for the appointment of a Commissioner of said Bureau, and to fix the duties of the said Commissioner, and to provide for the organization and maintenance of the said Bureau, and for the collection, preservation and dissemination of labor statistics in Texas, and declaring an emergency.

Be it enacted by the Legislature of the State of Texas:

SECTION 1. That a Bureau of Labor Statistics is hereby created, which shall be under the charge and control of a Commissioner of Labor Statistics.

SEC. 2. That a Commissioner of Labor Statistics shall be appointed by the Governor immediately upon the taking effect of this Act, who shall hold office until the first day of February, 1911, and until his successor shall have been appointed and qualified, after which the term of office of each commissioner shall begin on the first day of February of every odd-numbered year, and shall continue for two (2) years, and until his successor is appointed and qualified, and all appointments shall be made by the Governor of this State. The commissioner may be removed for cause by the Governor, record thereof being made in his office, and any vacancy shall be filled in the same manner as the original appointment. The Commissioner of Labor Statistics shall give bond in the sum of two thousand (\$2000.00) dollars, with sureties to be approved by the Governor, conditioned for the faithful discharge of the duties of his office, and he shall also take the oath of office prescribed by the Constitution. He shall have an office in the capitol building, and, except as hereinafter provided, he shall safely keep and shall deliver to his successors all records, papers, documents, correspondence and property pertaining to or coming into his hands by virtue of his office.

SEC. 3. The Commissioner of Labor Statistics shall collect, assort, systematize and present in biennial reports to the governor, statistical details relating to all departments of labor in Texas, and especially as affecting or bearing upon the commercial, social, educational and sanitary conditions of the employees and their families, the means of escape from dangers incident to their employment, the protection of life and health in factories and other places of employment, the labor of children and of women and the number of hours of labor exacted of them, and in general all matters and things which affect or tend to affect the prosperity of the mechanical, manufacturing and productive industries of this State, and of the persons employed therein. Said commissioner shall also, as fully as may be done, collect reliable reports and information from each county, showing the amount and condition of the mechanical, mining and manufacturing interests therein, and all sites offering natural or acquired advantages for the location and operation of any of the different branches of industry, and he shall, by correspondence with interested parties in other parts of the United States, or in foreign countries, impart to them such information as may tend to induce the location of manufacturing and producing plants within the State,

together with such information as may tend to increase the employment of labor and the products of such employment in Texas.

SEC. 4. In each biennial report, the commissioner shall give a full statement of the business of the bureau since the last preceding report, and such information as may be of value to the industrial interests and to persons employed therein, showing among other things, the number of laborers and mechanics employed, the number of apprentices in each trade, with the nativity of such laborers, mechanics and apprentices, the wages earned, the savings from the same, the age and sex of the persons employed, the number and character of accidents, the sanitary conditions of places where persons are employed, the restrictions put upon apprentices when indentured, the proportion of married employees living in rented houses, with the average rental paid, the value of property owned by such employees, and a statement as to the progress made in schools in operation for the instruction of students in mechanic arts, and what systems have been found most practical, but such reports shall not contain more than six hundred printed pages, and the same shall be printed and distributed in such manner as is or may be provided by law.

SEC. 5. The Commissioner of the Bureau of Labor Statistics shall have power to issue subpoenas, administer oaths and take testimony in all matters related to the duties herein required of the said bureau, but such testimony must be taken in the vicinity of the residence or office of the person testifying. Any person duly subpoenaed under the provisions of this Act who shall wilfully neglect or fail to attend or testify at the time and place mentioned in the subpoena shall be deemed guilty of a misdemeanor, and upon conviction thereof before any court of competent jurisdiction shall be punished by a fine of not to exceed fifty (\$50.00) dollars or by imprisonment in the county jail for not to exceed thirty (30) days. Provided, however, that no witness shall be compelled to go outside of the county in which he resides in order to testify.

SEC. 6. It shall be the duty of every owner, manager and superintendent of every factory, mill, workshop, mine, store, business house, public or private work, or any other establishment or place where five or more persons are employed at work, to make to the Bureau of Labor Statistics, upon blanks to be furnished by such bureau, such reports and returns as said bureau may require for the purpose of securing such labor statistics as are contemplated by this Act, and such reports and returns shall be made within not to exceed sixty (60) days from the receipt of the blanks furnished by the commissioner or by the bureau, and the same shall be verified under oath. Any owner, manager, superintendent or other person in charge or control of any factory, mill, workshop, mine, store, business house, public or private work, or other establishment or place where five or more persons are employed at work, who shall neglect or refuse to make such reports and returns as are required by the provisions of this Act shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine of not to exceed one hundred (\$100.00) dollars, or by imprisonment in the county jail for not to exceed thirty (30) days.

SEC. 7. In the reports made by the Commissioner of Labor Statistics to the Governor the names of individuals, firms or corporations supplying

information under the provisions of this Act shall not be disclosed, nor shall the name of any such individual, firm or corporation be communicated to any person or persons, except such as are employed in the Bureau of Labor Statistics, and any officer or employee of such bureau violating any of the provisions of this Section shall be deemed guilty of a misdemeanor, and upon conviction shall be fined not to exceed five hundred (\$500.00) dollars, or by imprisonment in the county jail for not more than ninety (90) days.

SEC. 8. No report or return made to the said bureau under the provisions of this Act and no schedule, record or document gathered or returned by its officers or employees shall be destroyed within two (2) years of the collection or receipt thereof, but at the expiration of two (2) years all such reports, returns, schedules, records and documents as shall be considered by the commissioner to be of no further value, shall be destroyed, provided that the permission of the Governor shall first be obtained for such destruction.

SEC. 9. Upon the written complaint of two (2) or more persons, or upon his failure otherwise to obtain information in accordance with the provisions of this Act, the Commissioner of Labor Statistics shall have the power to enter any factory, mill, workshop, mine, store, business house, public or private work, or other establishment, or place where five (5) or more persons are employed at work, when the same is open and in operation, for the purpose of gathering facts and statistics, such as are contemplated by this Act, and for the purpose of examining into the methods of protecting employees from danger and the sanitary conditions in and around such building or place, of all of which the said commissioner shall make and return into the Bureau of Labor Statistics a true and detailed record in writing.

SEC. 10. If the Commissioner of Labor Statistics shall learn of any violation of the law with respect to the employment of children, or fire escapes, or the safety of employees, or the preservation of health, or in any other way affecting the employees, he shall at once give written notice of the facts to the county or district attorney of the county in which the law has been violated, or of some other county, if any there be, having jurisdiction of the offense, and the county or district attorney to whom such notice has been given shall immediately institute the proper proceedings against the guilty person.

SEC. 11. Any owner, manager, superintendent or other person in charge or control of any factory, mill, workshop, mine, store, business house, public or private work, or other establishment or place, where five (5) or more persons are employed at work, who shall refuse to allow any officer or employee of the said Bureau of Labor Statistics to enter the same, or to remain therein for such time as is reasonably necessary, or who shall hinder any such officer or employee, or in any way prevent or deter him from collecting information, shall be deemed guilty of a misdemeanor, and upon conviction shall be fined in any sum not to exceed one hundred (\$100.00) dollars, or imprisonment in the county jail for not to exceed sixty (60) days.

SEC. 12. The Commissioner of Labor Statistics shall receive a salary of two thousand (\$2000.00) dollars per annum, payable monthly, and

he shall also be allowed a clerk and a factory inspector at a salary of one hundred (\$100.00) dollars per month each, and such other employees and assistants as the Legislature shall at any time in the future authorize. The commissioner shall also be allowed all necessary postage, stationery and other expenses of a similar character necessary to the transaction of the business of the bureau, and the said salaries and expenses shall be paid as in the case of other state officers. In addition to his salary, the commissioner and any employee of the said bureau shall be allowed his actual and necessary traveling expenses, while in the performance of his duties under this Act, but the total of the expenses of the said bureau, outside of the salaries paid, shall not exceed one thousand, five hundred (\$1,500.00) dollars per annum.

SEC. 13. The fact that there is no provision in this State for the collection, preservation and dissemination of labor statistics, and no official to look after labor conditions generally, creates an emergency and an imperative public necessity, that the Constitutional rule requiring bills to be read on three several days be suspended, and that this Act take effect and be in force from and after the passage, and it is so enacted.

[NOTE.—The enrolled bill shows that the foregoing Act passed the House by the following vote, yeas 85, nays 12; and passed the Senate by a two-thirds vote, yeas 27, nays 2.]

Approved February 26, 1909.

Takes effect ninety days after adjournment.

COURTS—TWENTY-SIXTH JUDICIAL DISTRICT.

S. B. No. 237.]

CHAPTER 25.

An Act to amend Section 26 of Article 22 of Title IV of the Revised Civil Statutes of Texas, and to change and prescribe the times for holding district court in the Twenty-sixth Judicial District of the State of Texas, and to define the jurisdiction thereof, and to provide for the venue and transfer of causes in the Twenty-sixth and Fifty-third District Courts, and to provide for a clerk of the district court of the Twenty-sixth and Fifty-third Judicial Districts in and for Travis county, and to conform all writs, process, bonds, recognizances, and drawing of petit and grand juries of such courts to the changes made, and providing for the drawing of grand juries in the Twenty-sixth and Fifty-third Judicial Districts, and to repeal all laws in conflict herewith, and declaring an emergency.

Be it enacted by the Legislature of the State of Texas:

SECTION 1. That Section 26 of Article 22 of Title IV of the Revised Civil Statutes of the State of Texas, be and the same is hereby amended so as to read as follows:

Section 26. The Twenty-sixth Judicial District shall be composed of the counties of Williamson and Travis, and the terms of the district court of said district shall be held therein hereafter as follows:

In the county of Williamson, on the first Monday in February and June, and may continue in session five weeks, and on the first Monday in November, and may continue in session four weeks.